

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

DANIEL UMPA, on behalf of himself and
all others similarly situated,

Plaintiff,

v.

THE NATIONAL ASSOCIATION OF
REALTORS, HOMESERVICES OF
AMERICA, INC., BHH AFFILIATES, LLC,
HSF AFFILIATES, LLC, THE LONG &
FOSTER COMPANIES, INC., KELLER
WILLIAMS REALTY, INC., COMPASS,
INC., EXP WORLD HOLDINGS, INC.,
EXP REALTY, LLC, REDFIN
CORPORATION, WEICHERT
REALTORS, UNITED REAL ESTATE,
HANNA HOLDINGS, INC, DOUGLAS
ELLIMAN, INC., DOUGLAS ELLIMAN
REALTY, LLC, AT WORLD
PROPERTIES, LLC, THE REAL
BROKERAGE, INC., REAL BROKER,
LLC, REALTY ONE GROUP, INC.,
HOMESMART INTERNATIONAL, LLC,

Defendants.

Case No. 4:23-cv-00945-SRB

The Hon. Stephen R. Bough

Oral Argument Requested

**MOTION OF COMPASS, INC. TO DISMISS COMPLAINT FOR LACK OF
PERSONAL JURISDICTION OR TO DISMISS COMPASS DUE TO LACK OF
PERSONAL JURISDICTION AND IMPROPER VENUE**

Pursuant to Federal Rules of Civil Procedures 12(b)(2) and 12(b)(3), and in accordance with the scheduling Order of this Court, Defendant Compass, Inc. (“Compass”), by its attorneys, moves to dismiss Plaintiff’s Class Action Complaint in its entirety because the Court does not have jurisdiction to hear the nonresident Plaintiff’s claims based on out-of-state home sales. In

the alternative, Compass moves to be dismissed from this action for lack of personal jurisdiction and, alternately, for lack of proper venue. This Court lacks personal jurisdiction over Compass both under the Missouri long-arm statute, Mo. Rev. Stat. § 506.500.1 and under Section 12 of the Clayton Act, 15 U.S.C. § 22. Venue is also improper in this District under 15 U.S.C. § 22 and 28 U.S.C. § 1391.

In support of this motion, Compass relies on (a) the Suggestions that are being filed concurrently with this motion, (b) the Suggestions in Support of Brokerage Defendants' Joint Motion to Dismiss being filed today, (c) the Declaration of Kristy Hairston being submitted with Compass's Suggestions, and (d) the Declaration of Eduard Monteagudo and accompanying exhibit being submitted with Compass's Suggestions. Compass also relies on the pleadings and records on file with this Court and such argument as may be presented at any hearing on this motion.

Dated: February 26, 2024

Respectfully submitted,

/s/ Daniel A. Sasse

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Attorneys for Defendant Compass, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on February 26, 2024, a copy of the foregoing document was electronically filed through the ECF system and will be sent electronically to all persons identified on the Notice of Electronic Filing.

/s/ Daniel A. Sasse
Daniel A. Sasse
Attorney for Defendant Compass, Inc.